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1 Marc A. Levinson (California Bar No. 57613)
 2 Jeffery D. Hermann (California Bar No. 90445)
 3 ORRICK, HERRINGTON & SUTCLIFFE LLP
 4 400 Capitol Mall, Suite 3000
 5 Sacramento, CA 95814-4497
 6 Telephone: (916) 447-9200
 7 Facsimile: (916) 329-4900
 Email: malevinson@orrick.com
 jhermann@orrick.com
*Attorneys for USA Capital
 Diversified Trust Deed Fund, LLC*

Robert Kinas (Nevada Bar No. 6019)
 Claire Y. Dossier (Nevada Bar No. 10030)
 SNELL & WILMER L.L.P.
 3883 Howard Hughes Parkway, Suite 1100
 Las Vegas, NV 89169
 Telephone: (702) 784-5200
 Facsimile: (702) 784-5252
 Email: rkinas@swlaw.com
 cdossier@swlaw.com

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

In re:
**USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,**
 Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

In re:
USA SECURITIES, LLC,
 Debtor.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Securities, LLC
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA First Trust Deed Fund, LLC

1 1. On or about December 6, 2007, Claimant filed Proof of Claim No. 10727-00151-1
 2 against DTDF in the amount of \$48,047.32 (the "Proof of Claim").

3 2. Claimant attached documentation to the Proof of Claim showing that Claim
 4 10727-00151-1 is an investment in DTDF.

5 3. DTDF, upon reviewing DTDF's books and records, has determined that Claimant
 6 in fact hold an allowed equity interest in DTDF in the amount of \$48,047.32, as of April 13, 2006
 7 (the "Petition Date").

8 4. On December 18, 2008, DTDF's counsel contacted Claimant and explained that
 9 Claimant has an allowed equity interest in DTDF in the amount of \$48,047.32, and Claimant
 10 agreed to stipulate to withdraw the Proof of Claim.

11 5. This stipulation shall not affect any other claims filed by Claimant in these jointly-
 12 administered bankruptcy cases.

13 6. This stipulation shall not affect either the amount or validity of Claimant's equity
 14 interest in DTF as reflected in DTDF's books and records as of the Petition Date.

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Snell & Wilmer
L.L.P.
LAW OFFICES
HOWARD HUGHES PARKWAY, SUITE 1100
LAS VEGAS, NEVADA 89169
(702)784-5200

1 WHEREFORE, based on the stipulation set forth above, the parties hereby agree and
2 request that the Court approve this stipulation as an order of the Court pursuant to Fed. R. Bankr.
3 P. 3006, as follows:

- 4 1. Proof of Claim No. 10727-00151-1 against DTDF is hereby withdrawn.
5 2. Claimant's equity interest in DTDF is allowed in the amount of \$48,047.32, as
6 reflected in DTDF's books and records as of the Petition Date.

7 SNELL & WILMER L.L.P. *1-17-08*

8 By: *Robert Kinas*
9 Robert Kinas (Nevada Bar No. 6019)
10 Claire Y. Dossier (Nevada Bar No. 10030)
11 3883 Howard Hughes Parkway, Suite 1100
12 Las Vegas, NV 89169
13 and
14 Marc A. Levinson (California Bar No. 57613)
Jeffery D. Hermann (California Bar No. 90445)
ORRICK, HERRINGTON & SUTCLIFFE LLP
400 Capital Mall, Suite 3000
Sacramento, CA 95814-4497

15 By: *Gaetano Ambrosino*
16 Gaetano Ambrosino
17 4875 Knollwood Drive
18 Las Vegas, NV 89147
19 Phone: (702) 87-1040

20 *Atorneys for USA Capital Diversified Trust Deed*
21 *Fund, LLC*

22 Snell & Wilmer
23 LLP
24
25
26
27
28

29 3883 HOWARD HUGHES PARKWAY, SUITE 1100
30 LAW OFFICES
31 LAS VEGAS, NEVADA 89169
32 (702) 784-5200